

IRRIGATED LANDS REGULATORY PROGRAM UPDATE

December 2019

This month's Irrigated Lands Regulatory Program update provides a summary of significant activities of State Water Board from November 15, 2019 to December 15, 2019; and, the North Coast, San Francisco Bay, Central Coast, Los Angeles, Lahontan, Colorado River Basin, Santa Ana and San Diego Water Boards' from October 15, 2019 to December 15, 2019. Next month's report will present activities of the Central Valley Water Board's Program and cover the time-period from November 15, 2019 to January 15, 2020.

STATE WATER BOARD

State Water Board staff (staff) attended the 2019 California Bioresources Alliance (CBA) Symposium on November 14 and 15 in Sacramento. The symposium featured a special workshop designed to improve the permitting process for organics projects in California. There were also sessions addressing financial onramps, incentives for certain technologies and products, community composting, and the use of bioresources for energy and greenhouse gas reductions.

On November 18, 2019, staff met with California Department of Food and Agriculture (CDFA) staff to discuss proposed revisions to General Waste Discharge Requirements for Composting Operations (Composting General Order). The Composting General Order is being proposed to revise the requirements for composting in an agricultural setting to allow material to be shared between agricultural operations to obtain desired carbon-nitrogen ratios. Proposed revisions also include allowing manure in Tier 1 if a groundwater monitoring and protection plan is implemented. The Composting General Order is proposed for adoption at the March 17, 2020 Board Meeting.

Staff attended the November 19, 2019 board meeting in which an update was given on the per- and polyfluoroalkyl substances (PFAS) investigations. The second round of investigative orders was recently sent to chrome plating facilities. In the future, regulatory action may be taken on biosolids application and is therefore relevant to the agricultural industry. In August 2019, the Water Board's Division of Drinking Water evaluated updated health-impact information provided by the Office of Environmental Health Hazard Assessment (OEHHA) and modified the notification levels for two PFAS compounds. For more information, visit the [Water Board's PFAS webpage](#).

The Water Board hosted a PFAS technical seminar on December 4 and 5, 2019 in Sacramento. Staff attended the seminar to share general information about PFAS, the current data, and the upcoming technical advances for treating the compounds. Presentations were recorded and are available for viewing on the Water Board's PFAS webpage.

On December 9, 2019, staff hosted a workshop on proposed General Waste Discharge Requirements for Disaster-Related Debris (Disaster Debris Order). The proposed Disaster Debris Order includes requirements for temporary and permanent disposal of debris derived from disaster areas such as fires, floods, and earthquakes. The proposed Disaster Debris Order also includes requirements for materials from mass animal mortalities. Comments received at the meeting focused on application to the gravel and concrete industry. The Disaster Debris Order is proposed for adoption at the February 18, 2020 Board Meeting.

On December 11, 2019, staff attended the Compost General Order Workshop. Changes to the order include an addition to Tier I facilities for manure and a revision to the agricultural exemption, which will now be referred to as an “on-site” exemption. The proposed changes to the Compost General Order will be taken before the Board on March 17, 2020. The [draft order](#) can be found on the Water Board’s compost webpage.

On December 12, 2019, Water Board staff attended a Rural Counties meeting. Items discussed included the proposed Disaster Debris Order and revisions to the Composting General Order as well as updates related to PFAS investigations.

December 12, 2019, Water Board staff also attended a kick-off work group meeting with CDFA staff and other state representatives such as CalRecycle to discuss on-farm compost and healthy soils. This was the first meeting of the work group with the goal of improving healthy soils through on-farm composting.

NORTH COAST REGION

North Coast Regional Water Quality Control Board staff are currently developing an administrative draft permit to address discharges of waste from vineyards in the North Coast Region internally and plan to get input from an existing Stakeholder Advisory Group once the draft is ready for review. Staff will be presenting an information item to the Regional Water Board on the development of the draft permit on December 19th in Santa Rosa.

As of December 13, 2019, the North Coast Water Board had a total of 2810 active sites enrolled in the North Coast Region Conditional Waiver of Waste Discharge Requirements for discharges from cannabis cultivation and associated activities and the State Water Resource Control Board general permit combined. There are approximately 500 sites Still Draft that will soon be active.

Staff are continuing to develop the Smith River Plain Water Quality Management Plan (SRPWQMP) to address water quality impacts associated with lily bulb cultivation. Staff have completed a hydrology map of Smith River Plain and will continue to refine the map based on field inspection. Staff have developed another map for the purposes reporting the implementation of management practices. Each field has been assigned a field ID and growers have submitted a list of practices being implemented by field for the

current growing season as well as the status of each field in the lily bulb/forage rotation. Staff have combined the reports from growers in a single spreadsheet representing the totality of practice implementation in the Smith River Plain and the current use of field in the lily bulb rotation.

Staff are also preparing for sampling this wet season. One of the goals of the monitoring is to collect data for the Biotic Ligand Model, which will be used to develop site specific toxicity endpoints for copper. Another goal of the monitoring is to screen for the presence of pesticides in the coastal tributaries, and to assess the effectiveness of recently implemented management practices on pesticide concentrations detected in the previous sampling effort. Staff will begin monitoring once there is enough flow at all the sample sites to collect a sample.

An administrative draft of the SRPWQMP is scheduled to be complete by January 2020. The draft will undergo review by the agency and tribal development team as well as by the growers. Staff will present an informational item to the Regional Water Board on December 19, 2019 in Santa Rosa.

SAN FRANCISCO BAY REGION

San Francisco Bay Regional Water Quality Control Board staff continue to roll-out the 2017 General Waste Discharge Requirements (Permit) for vineyards in the Napa River and Sonoma Creek watersheds, with a focus on outreach and enrollment.

Local Farm Bureaus have agreed to organize and facilitate a group for fee collection and some monitoring requirements. Staff are working the local Farm Bureaus to ensure uniformity in our outreach, fee gathering, and information sharing.

Information on upcoming 2020 Permit requirements has been posted to our Vineyard Program webpage and shared through public presentations. Staff, in coordination with the Farm Bureaus, conducted two public outreach meetings in November with two more planned for December. The outreach focuses on the 2020 deadlines including: monitoring requirements, the first round of fee collection, and establishing a group participation option to meet these requirements.

Staff have been in touch with the Fee Unit at the State Board and will begin coordinating with CIWQS staff to create invoices for the Fee Group and for individual enrollees.

Staff are evaluating enforcement options for the relatively few properties that have yet to enroll or respond to our Directives to Enroll and Notices of Violation.

Additional Vineyard Program information can be found on the [San Francisco Bay Regional Water Board's Vineyard Program webpage](#).

CENTRAL COAST REGION

Agricultural Order 3.0 Implementation:

In November and December staff issued approximately seven hundred and fifty (750) directive letters to potential dischargers in Santa Barbara County as well as hemp growers throughout the central coast region, that have not yet enrolled in the Irrigated Lands Program. Staff is preparing to issue an additional six hundred (600) directive letters to potential dischargers in San Luis Obispo County that have not yet enrolled in the Irrigated Lands Program.

Staff continued to work with GeoTracker staff on the Total Nitrogen Applied Report that is now live on GeoTracker. Growers are successfully submitting their Total Nitrogen Applied reports in GeoTracker. Staff also continues to work with GeoTracker staff to create a report out on the total nitrogen applied reports that have been submitted so far.

Agricultural Order 4.0 Development:

Staff is preparing the first draft of Ag Order 4.0 and intend to release it for public comment in early 2020.

LOS ANGELES REGION

Los Angeles Regional Water Quality Control Board staff reviewed and approved a revised Water Quality Management Plan (WQMP) on November 18, 2019 for the Nursery Growers Association-Los Angeles County Irrigated Lands Group (NGA-LAILG), which was submitted on September 30, 2019.

In October 2019, staff reviewed and approved two education credit requests for two classes offered by the Ventura County Agricultural Irrigated Lands Group (VCAILG).

On October 25, 2019, staff attended the Irrigated Lands Regulatory Program roundtable to discuss a variety of topics and challenges that the Regional Boards face in developing and implementing the program.

In November 2019, staff performed two inspections in Los Angeles County, one for a termination request and the other for an exemption request.

On November 4, 2019, the NGA-LAILG submitted their Monitoring and Reporting Plan (MRP) and the Quality Assurance Project Plan (QAPP). The Los Angeles Water Board staff is currently reviewing these submittals.

The Los Angeles Water Board staff is currently working on Notices of Violation for failure to re-enroll under the Conditional Waiver to growers in Los Angeles County that were terminated by the discharger group due to nonpayment.

The Los Angeles Water Board staff is finalizing an inspection report for management practices compliance. The inspection was performed in August 2019.

The Los Angeles Water Board staff is also currently reviewing the Source Investigation Report submitted by VCAILG on September 1, 2019 in compliance with the Conditional Waiver for Irrigated Lands (Order No. R4-2016-0143).

LAHONTAN REGION

There were no significant program updates for the Lahontan Region between October 15, 2019 and December 15, 2019.

COLORADO RIVER BASIN REGION

Colorado River Basin Water Quality Control Board held a public hearing to consider renewing the Conditional Waiver for Agricultural Dischargers in the Imperial Valley on November 14, 2019. Regional Water Board staff are developing general Waste Discharge Requirements to replace the Conditional Waiver but was not likely to be finished before the waiver expired. The short-term renewal of the Conditional Waiver is for a period of twelve months and will expire on January 15, 2021. This short-term renewal does not modify any other terms of the Conditional Waiver. Jennie Snyder, Regional Water Board staff, presented information about the renewal. The Regional Water Board adopted the renewal.

On November 12, 2019, staff received a Draft Water Quality Monitoring and Reporting Plan and a Draft Quality Assurance Project Plan from our coalition group in the Bard Valley area. Staff are reviewing the plans.

On November 18, 2019, staff received a Draft Water Quality Monitoring Program Plan from our coalition group in the Palo Verde area. Staff are reviewing the plan. Agricultural dischargers have begun the process of enrolling their lands for coverage under the General WDRs the Palo Verde and Bard Valley areas by completing an electronic Notice of Intent (eNOI) form on-line. Staff are reviewing submitted eNOIs.

SANTA ANA REGION

There were no significant program updates for the Santa Ana Region between October 15, 2019 and December 15, 2019.

SAN DIEGO REGION

San Diego Regional Water Quality Control Board staff continue to take enforcement actions on growers who are subject to regulation but have failed to enroll in one of two agricultural orders issued by the San Diego Water Board (Order Nos. R9-2016-0004 and R9-2016-0005). In November and December 2019, staff sent out over 70 letters directing non-filers to enroll. Additionally, staff continued extensive follow up with directive letter recipients who received letters in October 2019. Of the roughly 100 letters sent in early October, 75 percent have resulted in enrollment, while the remaining are either no longer farming or are candidates for further enforcement.

Inspections have been a bigger part of the Program in the last two months. Staff have conducted several inspections at a variety of operations to assess compliance with Order No. R9-2016-0004. Staff conducted inspections at several commercial nurseries, avocado orchards, and a tomato farm. To date, the operators of these sites have been responsive in receiving feedback from staff, and noticeable improvements have been demonstrated at these sites. Staff will continue to conduct inspections and work with the growing community to educate them on the Water Board's expectations for protecting downstream waterways.